

### **Amendments to the Drawings**

The attached Replacement Sheet includes changes to Fig. 1 and replaces the original Fig. 1. Valve 31 of Fig. 1 has been revised to conform to the application specification with respect to illustrating fluid flow therethrough. More particularly, the arrow in the top position of valve 31 symbolizing fluid flow has been revised to extend horizontally from left to right rather than at an upwardly extending angle. No new matter has been introduced.

Attachments: Replacement Sheet (1)

Annotated Marked-Up Drawing Sheet (1)

## REMARKS

As a preliminary matter, Applicants' attorney Leslie Nguyen would like to thank Examiner Culbreth for extending the courtesy of a telephone conference conducted on April 15, 2008, which focused on the objections to the drawings and which is summarized in the Interview Summary mailed April 23, 2008.

In view of the foregoing amendments and the following remarks, reconsideration and allowance of this patent application is earnestly solicited.

Claims 1-9 are pending in this application. Claims 1-9 stand rejected. Claims 2 and 9 have been rewritten in appropriate independent form as suggested by the Examiner to place those claims (and claims 3-5 which depend from rewritten claim 2) in condition for immediate allowance. No new matter has been introduced.

In the Office Action, the Examiner objected to the drawings as containing informalities. Specifically, the Examiner stated that valve 31 in FIG. 1 does not comport with the application specification with respect to fluid flow therethrough in that the valve ports do not align properly. In accordance with the approval of the Examiner during the recent telephone conference, FIG. 1, specifically valve 31, has been revised to align the ports to illustrate fluid flow as described in the specification. No new matter has been introduced.

In addition, the Examiner objected to the drawings as failing to include arrows on the lines to and from parts 7, 69-71, 6, 8, 3 and 60-63 in FIG. 1 showing direction of flow of fluid or information. As discussed during the telephone conference and agreed to by the Examiner, this requirement is unnecessary because the aforementioned parts allow for bidirectional flow of fluid or information as the case may be. *See* paragraphs [0033] - [0038].

Accordingly, Applicants submit that the drawings as amended cure any

informalities and respectfully request that the objections to the drawings be withdrawn.

The Examiner objected to the Abstract stating that “a” should precede “relatively” in the abstract. Applicants respectfully submit that the Abstract as amended by the Preliminary Amendment filed August 15, 2005 does not use the term “relatively”. Accordingly, Applicants submit that no amendment to the Abstract is necessary and respectfully request that the objection thereto be withdrawn.

Turning now to the claim rejections, the Examiner rejected claims 1-9 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement. Specifically, the Examiner contends that the application specification and drawings fail to teach how the change-over device is piloted with compressed air of the suspension system” as claimed in independent claim 1. The Examiner further contends that the application fails to teach “how pilot pressure for the change-over valve device is drawn from the outlet side of the compressed air delivery device” and “how pilot pressure is vented to the atmosphere when the changeover device is switched between first and second valve positions” as claimed in dependent claims 7 and 8, respectively.

With respect to independent claim 1, Applicants respectfully submit that at least paragraphs [0070] - [0071] as well as FIGS. 13 and 14 sufficiently describe how the changeover-valve device is piloted by compressed air of the system. Once a requisite volume of compressed air fills pilot chamber 313, the compressed air pilots the changeover-valve to an actuated state by moving piston 320 against the force of spring 321. With respect to dependent claim 7, paragraphs [0038] and [0061] - [0062] describe that the pilot pressure for the changeover-valve device is drawn from an outlet side of the compressed-air delivery device. With respect to dependent claim 8, paragraphs [0061] - [0062] and [0067] describe that the pilot pressure is

discharged to atmosphere when the changeover-valve device is switched between first and second valve positions. In view of the foregoing, notice to the effect that claims 1-9 are in compliance with the enablement requirement is respectfully requested.

The Examiner also rejected claim 9 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite. The Examiner contends that claim 9 does not “appear to be accurate in reciting that there is a check valve bypassing the compressed air delivery device connected to ports of the changeover device”. Applicants respectfully submit that claim 9 as written is accurate and supported by paragraph [0103] of the application, for example, which describes that the air-suspension system can comprise a check valve for bypassing the compressed-air delivery device, the check valve being connected to ports of the changeover-valve device in communication with the compressed-air delivery device. Notice to the effect that claim 9 is sufficiently definite is respectfully requested.

Turning now to the claim rejections based on cited art, the Examiner rejected independent claim 1 and dependent claim 6-8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,685,174 (“Behmenburg”) in view of DE 197 13 313 (“Geiger”). Applicants respectfully traverse these claim rejections for the reasons set forth hereinafter.

As set forth in detail in the present application, Applicants’ invention is directed to embodiments of a new vehicle air-suspension system, especially an air-suspension system designed as a partly closed system. The air-suspension system includes a compressed-air accumulator, a compressed-air delivery device, at least one air-suspension bellows and an electrically activatable changeover-valve device. The changeover-valve device, which is piloted with compressed-air of the air-suspension system, is capable of being switched between two positions: a first valve position to increase air in at least one air-suspension bellows, by placing

the accumulator in communication with a suction port of the delivery device and an outlet port of the delivery device in communication with the air-suspension bellows; and a second valve position to decrease air quantity in at least one air-suspension bellows, by placing the air-suspension bellows in communication with a suction port of the delivery device and an outlet port of the delivery device in communication with the accumulator.

Behmenburg describes embodiments of a closed vehicle level control system driven by a pump which can pump pressurized air only in one direction. In addition to the pump, the system includes a pressurized medium supply vessel (4) connected to pressurized medium chambers (2a - 2d) and first and second controllable directional valves (14, 18). When the pressurized air is to be pumped from the supply vessel to the chambers, first and second controllable directional valves are set to respective first positions such that the input of the pump is connected to the supply vessel and the output of the pump is connected to the chambers. When the pressurized air is to be pumped from the chambers to the supply vessel, the first and second controllable directional valves are set to respective second positions such that the input of the pump is connected to the chambers and the output of the pump is connected to the supply vessel. The Behmenburg system always allows the pressurized air to be pumped from the input to the output of the pump independently of whether the pressurized air is pumped from the supply vessel or the chambers.

The Examiner acknowledges that Behmenburg does not disclose a changeover-valve device being piloted with compressed air of the system as required by independent claim 1. *See* Office Action at page 5. As discussed above, the changeover-valve device of the present claimed invention is not just the combination of two controllable directional valves that are electrically actuated to change the direction of flow within the system, as disclosed in

Behmenburg. Rather, as detailed in paragraphs [0070] - [0071] and FIGS. 13 and 14, the changeover-valve device of the present invention is piloted by the compressed air of the system. Not only do the valves of the changeover-valve device need to be actuated, but a requisite volume of compressed air must flow into the changeover-valve device in order to place the changeover-valve device in an actuated state. Accordingly, Behmenburg does not teach or suggest a changeover-valve device being piloted with compressed air of the air-suspension system as required by independent claim 1.

The Examiner suggests that the changeover-valve device taught by Behmenburg, which the Examiner finds in the controllable directional valves 14 and 18, is not electrically actuable. The Examiner then relies upon Geiger for its disclosure of an electrically actuable valve to cure this deficiency. Geiger, whether taken alone or in combination Behmenburg, does not teach or suggest the present claimed invention.

Geiger describes embodiments of a control valve mechanism for a pneumatic vehicle suspension system to selectively connect an air supply to two separate systems via a main control valve comprising two annular seals mounted to the end of a servo piston which is spring-loaded in a valve open position. A solenoid valve is connected to the pressure chamber acting on the main valve and controls the air pressure inside the servo piston. When the valve is closed, the piston is subjected to spring pressure and atmospheric pressure. When the valve is open, the piston is subjected to line pressure and spring pressure. Geiger does not cure the severe deficiencies of Behmenburg. Geiger nowhere teaches or suggests a changeover-valve device being piloted with compressed air of the air-suspension system.

For the foregoing reasons, it is respectfully submitted that one of ordinary skill in the art who reads and understands Behmenburg and Geiger would not be inclined, let alone

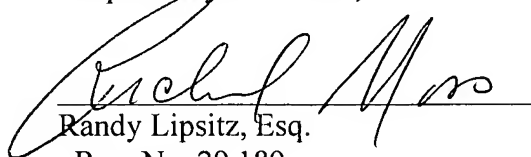
equipped, to arrive at the present invention as claimed in independent claim 1. Claim 1 of the present application recites features and structures nowhere found in Behmenburg and Geiger, and, thus, these references, whether taken alone or in combination, cannot yield, teach or suggest the present claimed invention. Notice to this effect is respectfully requested.

It is further submitted that claims 6-8, which variously depend from independent claim 1, are allowable for the same reasons articulated above as well as for the additional steps, features and structure recited therein. Notice to this effect is also respectfully requested.

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for immediate allowance. Notice to this effect is earnestly solicited. The Examiner is invited to contact Applicants' undersigned attorneys at the telephone number set forth below if it will advance the prosecution of this case.

No fee is believed due with this Response. Please charge any fee deficiency to Deposit Account No. 50-0540.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randy Lipsitz", is written over a horizontal line.

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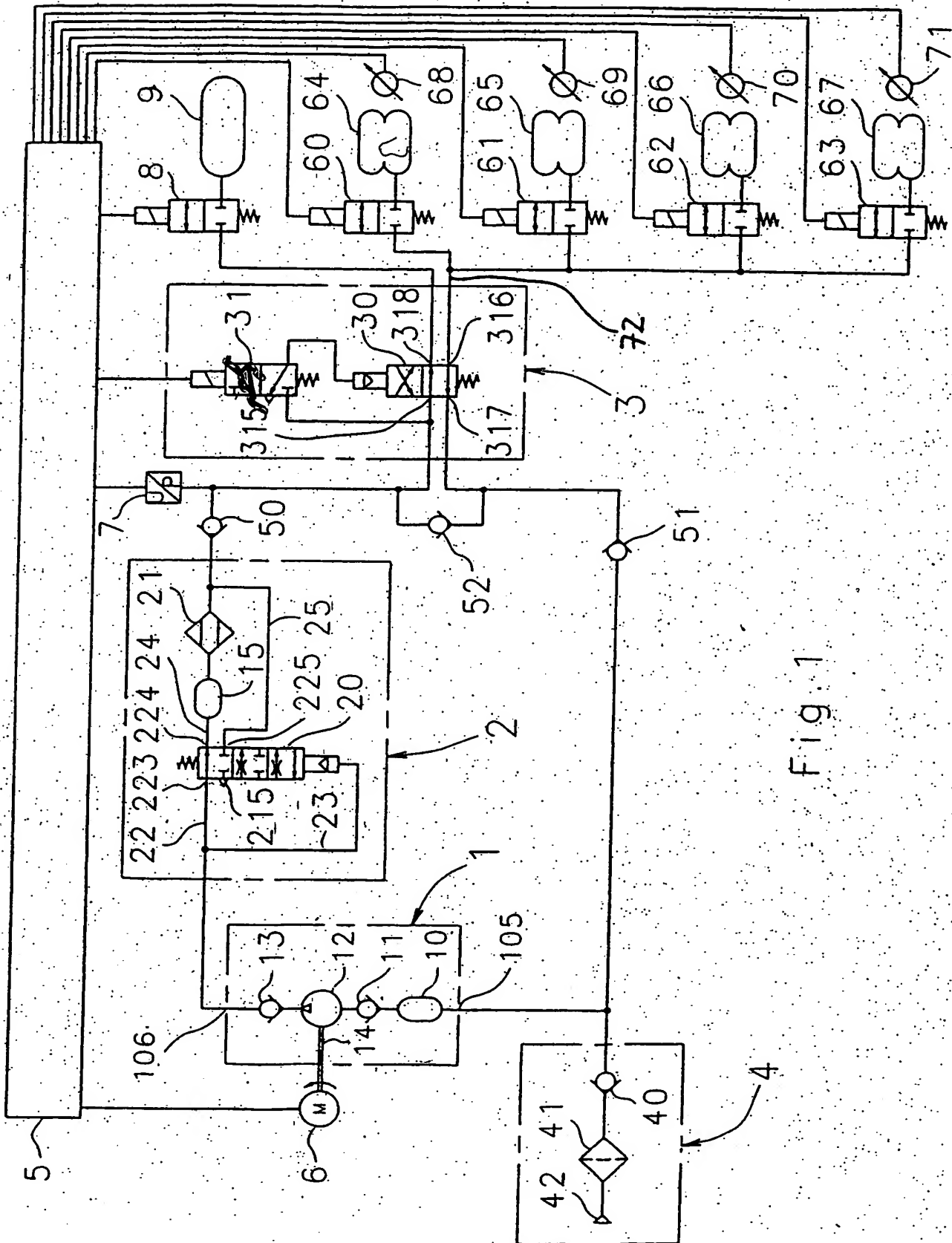


Fig. 1